

Remarks

The Office Action mailed January 6, 2004 and made final has been carefully reviewed and the foregoing amendments have been made in consequence thereof.

Claims 1, 3-17, and 19-79 are pending in this application. Claims 1-17, and 19-79 stand rejected. Claims 2 and 18 have been canceled.

Applicants and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during a telephone interview that occurred on March 2, 2004. Applicants acknowledge receipt of the Interview Summary dated March 5, 2004. The Interview Summary accurately describes the conversation between the Examiner and the undersigned.

The rejection of Claims 1, 3-17, 19-26, 28, 29, 31-50, 52-55, 57-63, 65-71, and 73-79 under 35 U.S.C. § 103(a) as being anticipated by Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) is respectfully traversed.

Applicants respectfully submit that Pyron does not describe or suggest the claimed invention. As discussed below, at least one of the differences between Pyron and the present invention is that Pyron neither describes nor suggests a method for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration wherein the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, and wherein the method includes displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest displaying a detailed explanation for each pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the

integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Furthermore, Pyron does not describe or suggest receiving at least one user selection of a pre-defined integration event for each user selected integration area, displaying the user selected pre-defined integration events for each user selected integration area, and displaying at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected pre-defined integration event.

Pyron describes using a computer application known as Microsoft Project 4. Microsoft Project 4 includes a project planning function having a top-down approach or a bottom-up approach. For example, if a user uses the top-down approach, the user starts by identifying the major phases of a project and then adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. All tasks having subordinate detail tasks under them are summary tasks. The computer application also enables a user to create a Gantt Chart displaying the duration of each task and a temporal relationship between tasks (see pages 96-97). Notably, Pyron does not describe developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Claim 1 recites a method performed by a computer for developing an acquisition integration project plan outlining at least one process for performing an acquisition integration and providing information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired

company and a newly acquired asset including a portfolio, the method includes “displaying a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...displaying a detailed explanation for each pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...receiving at least one user selection of a pre-defined integration event for each user selected integration area...displaying the user selected, pre-defined integration events for each user selected integration area...displaying at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event...and storing the user selected, pre-defined integration events and at least one of the name of a person responsible, the due date, the completion percentage, and the commentary for each user selected, pre-defined integration event into corresponding integration areas, as an acquisition integration project plan.”

Pyron neither describes nor suggests a method as recited in Claim 1. More specifically, Pyron neither describes nor suggests a method performed by a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration wherein the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, wherein the method includes displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest displaying a detailed explanation for each pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Furthermore, Pyron does not describe or suggest a receiving at least one user selection of a pre-defined integration event for each user selected integration area, displaying the user selected pre-defined integration events for each user selected integration area, and displaying at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

The Office Action suggests at page 3 that “displaying a list of pre-defined events is anticipated by Pyron, which discloses ‘Fig. 4.17 An outline task list’ (page 119)”. Although Pyron shows a list of tasks in Fig. 4.17, Pyron does not describe or teach displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event being displayed in association with a phase

in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Rather, Pyron describes a system where a user enters certain tasks that make up a project wherein each of these tasks have a certain duration period. Pyron, however, does not teach that these tasks are pre-defined integration events that are based upon at least one user selected integration area. In fact, the tasks in Pyron are “defined” by the user at the time the tasks are inputted in the system, and, in contrast to the present invention, the tasks in Pyron are not “pre-defined” such that these tasks are consistently described from project to project. Moreover, Pyron does not describe, teach or even mention pre-defined integration events displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

The Office Action also acknowledges at page 3 that Pyron does not disclose “displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on a prior acquisition process.” However, the Office Action suggests at page 4 that “Pyron does teach a task form that presents detailed steps in a project and includes a box incorporating project notes (page 218, Figure 9.12, “Notes”) as well as a detailed step-by-step baseline table of tasks (page 324, Figure 12.5).” Applicants respectfully submit that by merely showing a “Notes” function for formatting a task form in Figure 9.12, Pyron does not describe or teach displaying advice for performing an integration event wherein the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event. In fact, Pyron does not describe or teach using information from prior acquisition integrations to accomplish the current acquisition integration.

Furthermore, the Office Action suggests at page 4 the Pyron “teaches Pert charts (page 530, Figure 18.27) as a means for presenting a sample presentation of an acquisition process.” Applicants, however, respectfully submit that a Pert chart does not describe or teach displaying a detailed explanation for each pre-defined integration event including at least one sample presentation relating to the integration event, wherein the at least one sample

presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration. Moreover, Pyron does not teach displaying a detailed explanation for each pre-defined integration event including a description of the integration event, wherein the description facilitates determining a percentage of completion of the integration event. Accordingly, Applicants respectfully submit that Claim 1 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submit that Claim 1 is patentable over Pyron.

Claims 3-8 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 3-8 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-8 likewise are patentable over Pyron.

Claim 9 recites a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer is programmed to “display a plurality of pre-defined integration events based upon at least one user selected integration area, each pre-defined integration event being associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...display a detailed explanation for each pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...display at least one user selected, pre-defined integration event for each user selected integration area...display at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event...and

store the user selected, pre-defined integration events and corresponding integration areas as an acquisition integration project plan.”

Pyron neither describes nor suggests a computer as recited in Claim 9. More specifically, Pyron does not describe or suggest a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer is programmed to display a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a computer programmed to display a detailed explanation for each pre-defined integration event that includes a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Furthermore, Pyron does not describe or suggest a computer programmed to display at least one user selected pre-defined integration event for each user selected integration area, display at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each user selected, pre-defined integration event, and store the user selected, pre-defined integration events and corresponding integration areas as an acquisition integration project plan.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project

and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach displaying a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Applicants respectfully submit that merely showing a list of tasks in Fig. 4.17 of Pyron does not describe or suggest a computer programmed to display a plurality of pre-defined integration events based upon at least one user selected integration area, wherein each pre-defined integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Rather, in Pyron, the user enters certain tasks that make up a project wherein each of these tasks have a certain duration period. Pyron, however, does not teach that these tasks are pre-defined integration events that are based upon at least one user selected integration area. In fact, the tasks in Pyron are “defined” by the user at the time the tasks are inputted in the system, and, in contrast to the present invention, the tasks in Pyron are not “pre-defined” such that these tasks are consistently described from project to project. Moreover, Pyron does not describe, teach or even mention pre-defined integration events displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

The Office Action acknowledges at page 3 that Pyron does not disclose “displaying a detailed explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event, the advice and the at least one sample presentation are based on a prior acquisition process.” Moreover, Applicants respectfully submit that by merely showing a “Notes” function for formatting a task form in Figure 9.12, Pyron does not describe or teach displaying advice for

performing an integration event wherein the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event. Additionally, the Pert charts described in Pyron do not teach displaying a detailed explanation for each pre-defined integration event including at least one sample presentation relating to the integration event, wherein the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration. Furthermore, Pyron does not teach displaying a detailed explanation for each pre-defined integration event including a description of the integration event, wherein the description facilitates determining a percentage of completion of the integration event. Accordingly, Applicants respectfully submit that Claim 9 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submit that Claim 9 is patentable over Pyron.

Claims 10-15 depend, directly or indirectly, from independent Claim 9. When the recitations of Claims 10-15 are considered in combination with the recitations of Claim 9, Applicants submit that dependent Claims 10-15 likewise are patentable over Pyron.

Claim 16 recites a database for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the database includes “data corresponding to at least one integration area...data corresponding to integration events for each integration area, each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...and data corresponding to a detailed explanation of each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event,

the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.”

Pyron neither describes nor suggests a database as recited in Claim 16. More specifically, Pyron neither describes nor suggests a database for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the database includes data corresponding to integration events for each integration area, wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a database that includes data corresponding to a detailed explanation of each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Accordingly, Applicants respectfully submit that Claim 16 is patentable over Pyron.

For at least the reasons set forth above, Applicants respectfully submits that Claim 16 is patentable over Pyron.

Claim 18 has been cancelled. Claims 17, and 19-23 depend, directly or indirectly, from independent Claim 16. When the recitations of Claims 17, and 19-23 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 17, and 19-23 likewise are patentable over Pyron.

Claim 24 recites a system for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the system includes “a client system comprising a browser...a database comprising data corresponding to integration events for at least one integration area wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase, said database further comprising data corresponding to a detailed explanation of each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...and a server configured to be coupled to said client system and said database, said server further configured to...receive at least one user selection of an integration event for each user selected integration area...display on said client system the selected integration events for each selected integration area...display on said client system at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each selected integration event...and store in the database the selected integration events and at least one of the name of a person responsible, the due date, the completion percentage, and the commentary for each selected integration event into corresponding integration areas, as an acquisition integration project plan.”

Pyron neither describes nor suggests a system as recited in Claim 24. More specifically, Pyron neither describes nor suggests a system for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the system includes a database having data corresponding to integration events for at least one integration area wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a system that includes a database having data corresponding to a detailed explanation of each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Furthermore, Pyron does not describe or suggest a system that includes a server configured to receive at least one user selection of an integration event for each user selected integration area, display on the client system the selected integration events for each selected integration area, and display on the client system at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each selected integration event.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an

acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach a database having data corresponding to integration events for at least one integration area wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 24 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 24 is patentable over Pyron.

Claims 25-26, 28-29, and 31 depend, directly or indirectly, from independent Claim 24. When the recitations of Claims 25-26, 28-29, and 31 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 25-26, 28-29, and 31 likewise are patentable over Pyron.

Claim 32 recites a method for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the method includes “displaying on an electronic interface a plurality of integration areas having a plurality of integration events, each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...selecting, from the electronic interface, at least one of the plurality of integration areas...identifying, from the electronic interface, a responsible person responsible for each integration area...identifying, from the electronic interface, at least one of a person responsible and a due date for each integration event within an integration area...requesting, from the electronic interface, a percentage completion for each integration event...and requesting, from the electronic interface, a detailed explanation for an integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining the percentage of completion of the integration event,

the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.”

Pyron neither describes nor suggests a method as recited in Claim 32. More specifically, Pyron neither describes nor suggests a method for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the method includes displaying on an electronic interface a plurality of integration areas having a plurality of integration events, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest requesting from the electronic interface a detailed explanation for an integration event that includes a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining the percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach displaying on an electronic interface

a plurality of integration areas having a plurality of integration events, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 32 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 32 is patentable over Pyron.

Claims 33-37 depend, directly or indirectly, from independent Claim 32. When the recitations of Claims 33-37 are considered in combination with the recitations of Claim 32, Applicants submit that dependent Claims 33-37 likewise are patentable over Pyron.

Claim 38 recites an apparatus for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the apparatus includes “means for prompting a user to select at least one integration area...means for displaying a plurality of integration events for the selected integration areas, each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...means for displaying a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...and means for developing an integration acquisition project plan using selected integration events.”

Pyron neither describes nor suggests an apparatus as recited in Claim 38. More specifically, Pyron neither describes nor suggests an apparatus for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the apparatus includes means for displaying a plurality of integration events for the selected integration areas, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest an apparatus that includes means for displaying a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach a means for displaying a plurality of integration events for the selected integration areas, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition

to operations phase. Accordingly, Applicants respectfully submit that Claim 38 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 38 is patentable over Pyron.

Claims 39-43 depend, directly or indirectly, from independent Claim 38. When the recitations of Claims 39-43 are considered in combination with the recitations of Claim 38, Applicants submit that dependent Claims 39-43 likewise are patentable over Pyron.

Claim 44 recites a computer program embodied on a computer readable medium for managing acquisition integration to achieve acquisition synergies, customer satisfaction and operational excellence, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer program includes a code segment that “manages integration areas for acquisition integration...organizes integration events for each integration area, each integration event associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...displays a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...and develops an acquisition integration plan including a set of integration events and deliverable checklists based on user selected integration areas, to guide the user through integration process.”

Pyron neither describes nor suggests a computer program as recited in Claim 44. More specifically, Pyron neither describes nor suggests a computer program embodied on a computer readable medium for managing acquisition integration to achieve acquisition synergies, customer satisfaction and operational excellence, wherein the acquisition

integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, and the computer program includes a code segment that organizes integration events for each integration area, wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a computer program that includes a code segment that displays a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach a computer program that includes a code segment that organizes integration events for each integration area, wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 44 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 44 is patentable over Pyron.

Claims 45-50, 52-55, and 57 depend, directly or indirectly, from independent Claim 44. When the recitations of Claims 45-50, 52-55, and 57 are considered in combination with the recitations of Claim 44, Applicants submit that dependent Claims 45-50, 52-55, and 57 likewise are patentable over Pyron.

Claim 58 recites a method for operating a computer to develop an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the method includes “prompting a user to select an integration area from an acquisition integration main user interface...displaying a set of selectable integration events for the selected integration area, each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...displaying a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...and developing an acquisition integration project plan incorporating selected integration events.”

Pyron neither describes nor suggests a method for operating a computer as recited in Claim 58. More specifically, Pyron neither describes nor suggests a method for operating a computer to develop an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, and the method includes displaying a set of selectable integration events for the selected integration area, wherein each integration event being displayed in association with a phase in an

acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest displaying a detailed explanation for each integration event that includes a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach displaying a set of selectable integration events for the selected integration area, wherein each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 58 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 58 is patentable over Pyron.

Claims 59-63 and 65 depend, directly or indirectly, from independent Claim 58. When the recitations of Claims 59-63 and 65 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claims 59-63 and 65 likewise are patentable over Pyron.

Claim 66 recites a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer is programmed to “prompt a user to select an integration area from a computer generated screen configured as an acquisition integration main user interface...display a set of selectable integration events for the selected integration area, each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...display a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration...and develop an acquisition integration project plan incorporating user selected integration events.”

Pyron neither describes nor suggests a computer as recited in Claim 66. More specifically, Pyron neither describes nor suggests a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer is programmed to display a set of selectable integration events for the selected integration area, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a computer programmed to display a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Pyron does not describe or teach developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and that provides the information to perform the acquisition integration. Moreover, Pyron does not describe or teach a computer programmed to display a set of selectable integration events for the selected integration area, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 66 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 66 is patentable over Pyron.

Claims 67-71 and 73 depend, directly or indirectly, from independent Claim 66. When the recitations of Claims 67-71 and 73 are considered in combination with the recitations of Claim 66, Applicants submit that dependent Claims 67-71 and 73 likewise are patentable over Pyron.

Claim 74 recites a computer-readable medium for developing an acquisition integration project plan that outlines at least one process for performing an acquisition

integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer-readable medium executable by a computer for controlling the computer to “receive user selections of pre-defined integration areas...receive user selections of pre-defined integration events for the selected integration areas, each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase...display a detailed explanation for each selected pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition processes integration...and develop an acquisition integration plan with the user selected, pre-defined integration areas and integration events for a planned acquisition.”

Pyron neither describes nor suggests a computer-readable medium as recited in Claim 74. More specifically, Pyron neither describes nor suggests a computer-readable medium for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer-readable medium executable by a computer for controlling the computer to receive user selections of pre-defined integration events for the selected integration areas, wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, Pyron does not describe or suggest a computer-readable medium executable by a computer for controlling the computer to display a detailed explanation for

each selected pre-defined integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition processes integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created. Accordingly, Applicants respectfully submit that Claim 74 is patentable over Pyron.

For at least the reasons set forth above, Applicants submit that Claim 74 is patentable over Pyron.

Claims 75-79 depend, directly or indirectly, from independent Claim 74. When the recitations of Claims 75-79 are considered in combination with the recitations of Claim 74, Applicants submit that dependent Claims 75-79 likewise are patentable over Pyron.

Furthermore, Applicants respectfully submit that the Section 103 rejection of Claims 1, 3-26, 28, 29, 31-50, 52-55, 57-63, 65-71, and 73-79 is not a proper rejection. The mere assertion that such an apparatus would have been obvious to one of ordinary skill in the art does not support a prima facie obvious rejection. Rather, each allegation of what would have been an obvious matter of design choice must always be supported by citation to some reference work recognized as standard in the pertinent art, and Applicants given an opportunity to challenge the correctness of the assertion or the repute of the cited reference. Applicants have not been provided with the citation to any reference supporting the combination made in the rejection. The rejection, therefore, fails to provide the Applicants with a fair opportunity to respond to the rejection, and fails to provide the Applicants with the

opportunity to challenge the correctness of the rejection. Therefore, Applicants respectfully request that the Section 103 rejection be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 1, 3-26, 28, 29, 31-50, 52-55, 57-63, 65-71, and 73-79 under 35 U.S.C. § 103(a) be withdrawn.

The rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) as being unpatentable over Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) in view of Ernst & Young, *Mergers and Acquisitions Second Edition*, 1994 (Ernst) is respectfully traversed.

Pyron is described above. Ernst is a text book that generally discusses mergers and acquisitions including the topics of acquisition process and strategy, evaluating an acquisition candidate, due diligence, acquiring a public company, accounting principles, federal income tax considerations, and post merger integration. Notably, Ernst does not describe nor teach developing an acquisition integration project plan that includes displaying an explanation for each pre-defined integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Claims 27 and 30 depend from independent Claim 24. Claim 24 is recited hereinabove.

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system as recited in Claim 24. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the system includes a database having data corresponding to integration events for at least one integration area wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase,

a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system that includes a database having data corresponding to a detailed explanation of each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Furthermore, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system that includes a server configured to receive at least one user selection of an integration event for each user selected integration area, display on the client system the selected integration events for each selected integration area, and display on the client system at least one of a name of a person responsible, a due date, a completion percentage, and a commentary for each selected integration event.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions.

The Office Action suggests at pages 15-16 that Ernst describes a pre-due diligence phase at pages 10-11, a due diligence phase at pages 33-37, a post sign/pre-close phase at pages 147-148, a post close phase at page 215, and a transition to operations phase at page 222. Applicants respectfully traverse this suggestion. However, even assuming, arguendo, that Ernst does disclose each of these phases, Applicants respectfully submit that the mere disclosure of each of these phases in combination with Pyron still does not describe or

suggest the system recited in Claim 24. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a system for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration that includes a database having data corresponding to integration events for at least one integration area wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase. Accordingly, Applicants respectfully submit that Claim 24 is patentable over Pyron in view of Ernst.

When the recitations of Claims 27 and 30 are considered in combination with the recitations of Claim 24, Applicants submit that dependent Claims 27 and 30 are likewise patentable over Pyron in view of Ernst.

Claim 64 depends from independent Claim 58. Claim 58 is recited hereinabove.

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method as recited in Claim 58. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a method for operating a computer to develop an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, and the method includes displaying a set of selectable integration events for the selected integration area, wherein each integration event being displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, neither Pyron nor Ernst, considered alone or in combination, describe or suggest displaying a detailed explanation for each integration event that includes a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior

acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions. Accordingly, Applicants respectfully submit that Claim 58 is patentable over Pyron in view of Ernst.

When the recitations of Claim 64 are considered in combination with the recitations of Claim 58, Applicants submit that dependent Claim 64 likewise is patentable over Pyron in view of Ernst.

Claim 72 depends from independent Claim 66. Claim 66 is recited hereinabove.

Neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer as recited in Claim 66. More specifically, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer for developing an acquisition integration project plan that outlines at least one process for performing an acquisition integration and provides information to perform the acquisition integration, the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, the computer is programmed to display a set of selectable integration events for the selected integration area, wherein each integration event is displayed in association with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, neither Pyron nor Ernst, considered alone or in combination, describe or suggest a computer programmed to display a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event,

and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be performed for the project has been created; and Ernst is a text book that generally describes mergers and acquisitions. Accordingly, Applicants respectfully submit that Claim 66 is patentable over Pyron in view of Ernst.

When the recitations of Claim 72 are considered in combination with the recitations of Claim 66, Applicants submit that dependent Claim 72 likewise is patentable over Pyron in view of Ernst.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) be withdrawn.

The rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) as being unpatentable over Tim Pyron, *Using Microsoft Project 4 for Windows*, 1994 (Pyron) in view of Kumashiro (U.S. Patent No. 6,240,395) is respectfully traversed.

Pyron is described above. Kumashiro describes a device for generating a Gantt chart. The device includes a display showing the Gantt chart, an input unit receiving an input to point at a position on the display, a Gantt-chart-generation processing unit generating a schedule bar having a start point and an end point by setting the start point at a first position indicated by the input unit and setting the end point at a second position indicated by the input unit, and a work-step-division processing unit dividing the schedule bar into a plurality of work steps at a plurality of third positions indicated by the input unit. Notably, Kumashiro does not describe nor teach a computer program that displays an explanation for each

integration event including advice for performing the integration event and at least one sample presentation relating to the integration event wherein the advice and the at least one sample presentation are based on prior acquisition processes.

Claims 51 and 56 depend from independent Claim 44. Claim 44 is recited hereinabove.

Neither Pyron nor Kumashiro, considered alone or in combination, describe or suggest a computer program as recited in Claim 44. More specifically, neither Pyron nor Kumashiro, considered alone or in combination, describe or suggest a computer program embodied on a computer readable medium for managing acquisition integration to achieve acquisition synergies, customer satisfaction and operational excellence, wherein the acquisition integration includes assimilating an acquiring entity with at least one of a newly acquired company and a newly acquired asset including a portfolio, and the computer program includes a code segment that organizes integration events for each integration area, wherein each integration event is associated with a phase in an acquisition process including a pre-due diligence phase, a due diligence phase, a post sign/pre-close phase, a post close phase, and a transition to operations phase.

Moreover, neither Pyron nor Kumashiro, considered alone or in combination, describe or suggest a computer program that includes a code segment that displays a detailed explanation for each integration event including a description of the integration event, advice for performing the integration event, and at least one sample presentation relating to the integration event, wherein the description facilitates determining a percentage of completion of the integration event, the advice is based on prior acquisition integrations and provides guidance to a person responsible for performing the integration event on how to accomplish the integration event, and the at least one sample presentation includes an attached file including data previously presented by the acquiring entity as part of a prior acquisition integration.

Rather, Pyron describes a computer application known as Microsoft Project 4 that includes a project planning function wherein a user identifies the major phases of a project and adds the components of each phase in detail until an outline of all the tasks to be

performed for the project has been created; and Kumashiro describes a device for generating a Gantt chart. Accordingly, Applicants respectfully submit that Claim 44 is patentable over Pyron in view of Kumashiro.

When the recitations of Claims 51 and 56 are considered in combination with the recitations of Claim 44, Applicants submit that dependent Claims 51 and 56 likewise are patentable over Pyron in view of Kumashiro.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) be withdrawn.

Notwithstanding the above, the rejection of Claims 2, 27, 30, 64, and 72 under 35 U.S.C. § 103(a) as being unpatentable over Pyron in view of Ernst; and the rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) as being unpatentable over Pyron in view of Kumashiro are further traversed on the grounds that the Section 103 rejection of the presently pending claims is not a proper rejection. Obviousness cannot be established by merely suggesting that it would have been obvious to one of ordinary skill in the art to modify Pyron using the teachings of Ernst or Kumashiro. More specifically, as is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention. Further, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art.

As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levensgood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art,

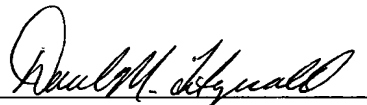
and not based on Applicants' disclosure. In re Vaeck, 20 U.S.P.Q.2d 1436 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

None of Pyron, Ernst, or Kumashiro, considered alone or in combination, describe or suggest the claimed combination. Rather, the present Section 103 rejection is based on a combination of teachings selected from multiple references in an attempt to arrive at the claimed invention. Since there is no teaching, suggestion or motivation for the combination of Pyron and Ernst or for the combination of Pyron and Kumashiro, the Section 103 rejections appear to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for this reason alone, Applicants request that the Section 103 rejection of Claims 2, 27, 30, 64, and 72, and the rejection of Claims 51 and 56 be withdrawn.

For at least the reasons set forth above, Applicants respectfully request that the rejection of Claims 2, 27, 30, 64, and 72, and the rejection of Claims 51 and 56 under 35 U.S.C. § 103(a) be withdrawn.

In view of the foregoing amendments and remarks, all the Claims now active in the application are believed to be in condition for allowance. Favorable action is respectfully solicited.

Respectfully Submitted,



Daniel M. Fitzgerald
Reg. No. 38,880
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070.